



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,743	08/10/2001	J. Carl Cooper	JCC 801A	7337
57131	7590	04/04/2006	EXAMINER	
CARL J. COOPER 73 SHORELINE CIRCLE INCLINE VILLAGE, NV 89451			PHILIPPE, GIMS S	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/927,743

Applicant(s)

COOPER, J. CARL

Examiner

Gims S. Philippe

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 20, 2006 has been entered.

### ***Specification***

2. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

For example, the Specification includes Web links on page 3, lines 5-6, 12, and 19, and page 15, line 5.

### ***Claim Objections***

3. Claims 16-18 are objected to because of the following informalities: Independent claims 16-18, line 1 call for "**The** method..." The independent claim did not call a method before either in a preamble or in the steps of the claims. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Oku et al. (US Patent no. 6,710,817).

Regarding claims 1, 16-18, Oku discloses a method of creating a compatible analog signal which carries a digital video signal on an existing analog video system (See col. 3, lines 33-38), including a video compression step responsive to said digital video signal to provide a compressed video signal (See col. 1, lines 35-38); and a digital to analog formatter step responsive to said compressed video signal and providing said

Art Unit: 2621

compatible analog signal carrying the compressed video signal as a quasidigital signal, which compatible analog signal may be utilized by said analog video system (See fig. 1, DAC 16, and col. 7, lines 37-44).

As per claims 13-15, the step of restricting the compatible digital signal at specific time is considered analogous to the reformatting the digital signal into analog based on the synchronization signal (See col. 12, lines 23-36).

As per claims 2-3, Oku further discloses a method of creating one of an NTSC or PAL or SECAM compatible analog signal which may carry video signal on an existing analog video a digital HDTV system (See col. 10, lines 29-40) including a video compression step responsive to said digital HDTV video signal to provide a compressed video signal (See col. 1, lines 35-55, and col. 2, lines 53-64); and a digital to analog formatter step responsive to said compressed video signal and providing said NTSC or PAL or SECAM compatible analog signal that includes the compressed audio and video signal as quasidigital signal which may be utilized by said analog video system (See col. 11, lines 32-45 and col. 7, lines 36-44).

Regarding claim 4, Oku discloses a method of carrying digital information as a analog signal which includes synchronizing information according to a standard, said method including compressing said digital information; encoding said compressed digital information as a quasidigital signal; selecting ones of said synchronizing information

Art Unit: 2621

necessary for a signal to adhere to said standard; combining said quasidigital signal and said selected ones of said synchronizing information to produce said analog signal (See col. 12, lines 9-32, col. 11, lines 63-67).

As per claims 5-6, Oku further provides analog signal is a television video signal having horizontal and vertical synchronizing pulses and color burst (See col. 10, lines 48-55).

As per claims 7-12, Oku's quasidigital signal carries digitized audio and digitized video in MPEG form (See col. 5, lines 29-34, line 67, col. 6, lines 1-9).

As per claims 19-21, most of the limitations of these claims have been noted in the above rejection of claims 16-18. In addition, Oku further provides a digital signal is a television program consisting of audio and video portions and the analog form is one of an analog SDTV or HDTV (See col. 8, lines 43-67, and col. 11, lines 55-67).

As per claim 22, Oku further suggests performing error correction and detection (See Oku col. 5, lines 16-27).

As per claims 23-26, the uniform time duration and uniform amplitude separation are considered standards that Oku meets in its receiver of fig. 8 (See col. 10, lines 17-28).

### **Comments**

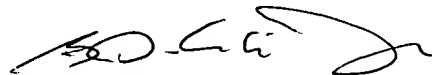
The applicant should note that the “quasidigital” signal the he/she is claiming is a digital signal converted to analog signal as seen in the applicant’s own specification page 12, lines 1-12. In other words, while the applicant is his/her own lexicographer the “quasidigital” is a digital signal converted into a compatible analog video signal. Oku does provide DAC 16 while providing a first reformatter 14 converting the pictorial data into an arbitrary picture format ....further, the third reformatter has the frame synchronize function of converting the pictorial data used in the analog broadcast ... (See col. 12, lines 10-32).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S. Philippe whose telephone number is (571) 272-7336. The examiner can normally be reached on M-F (10:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Dastouri S. Mehrdad can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gims S Philippe  
Primary Examiner  
Art Unit 2621

GSP

March 31, 2006